

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CIVIL ACTION NO. 1:13cv867 (WOB-KLL)

DERRICK KIDD

PETITIONER

VS.

ORDER

WARDEN, LEBANON
CORRECTIONAL INSTITUTION

RESPONDENT

This matter is before the Court on the Report and Recommendation of the United States Magistrate Judge (Doc. #16), and there being no objections filed, and the Court being sufficiently advised,

IT IS ORDERED that the Report and Recommendation (Doc. #16) be, and it hereby is, **adopted** as the findings of fact and conclusions of law of this Court; that respondent's motion to dismiss (Doc. #7) be, and it is, hereby **denied** in accordance with the Report and Recommendation of the Magistrate Judge (Doc. #16).

This 20th day of January, 2015.



Signed By:

William O. Bertelsman WOB

United States District Judge